

Video Piracy

6616. SHRISHRAVAN KUMAR PATEL:
Will the Minister of INFORMATION AND BROADCASTING be pleased to state;

(a) the details of arrangements, including administrative and enforcement set up for preventing piracy and copyright violation of video and movie films;

(b) whether the Government have identified any any weakness in the existing arrangements in the way of effectively preventing piracy in video, movie and TV films; and

(c) the steps, if any, contemplated to plug such loopholes in the system?

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (KUMARI GIRIJA VYAS): (a) Information is given in the attached statement

(b) and (c). The Central Government has instructed the State Government to effectively enforce the provisions of the law which are considered to be adequate, through creation of Special Police Cells for investigation of copyright offences, bringing video parlours and shops under a licensing regime, giving necessary powers for enforcement of Entertainment Tax recovery agencies, collecting crime statistics of copyright offences exclusively etc.,

STATEMENT

There are various provisions under the Copyright Act, 1957 as amended from time to time that provide for prevention of illegal duplication of works in which a copyright subsists. The salient provisions of the Act which is administered by the Ministry of Human Resource Development are given below:-

- (i) Imprisonment for infringement of copyright under Section 63 can be for a term ranging from 6 month upto 3 years and fine can be imposed ranging from Rs 50,000 extendable to Rs. 2 lakhs. For every subsequent offence Section 63(A) provides for a fine of Rs. 1 lakhs which can be extended upto 2 lakh rupees and imprisonment ranging from one year to 3 year.
- (ii) Under Section 64 any Police Officer from the rank of Sub-Inspector and above can seize without warrant all copies of work which have been used for making infringing copies even if he is satisfied that an offence under the Copyright Act is likely to be committed.
- (iii) A person who knowingly makes infringed copies of any work for which a copyright subsists can be punished with imprisonment upto 2 years along with a fine.
- (iv) Infringement of copyright is a cognizable and non-bailable offence.

2. The role of Central Government in curbing Piracy and copyright violation is confined to legislation and the punishment provided under the existing legislation is more than sufficiently deterrent. The laws enacted by the Central Government are to be implemented by the State Government or the Union Territory Administrations. The Central Government cannot under the Constitution of India dictate to the State Governments/Union Territory Administrations in these matters. It can only draw their attention to the problem and advise them to activate the law enforcing Agencies of their administrations to implement the provisions of anti-video piracy laws and laws related to copyright violation. The Government is also